

AN AGREEMENT BETWEEN THE VIRGINIA DEPARTMENT OF  
TRANSPORTATION AND THE BOARD OF SUPERVISORS OF THE  
COUNTY OF YORK, VIRGINIA PROVIDING FOR THE COUNTY TO  
ACT AS VDOT'S AGENT FOR THE REMOVAL OF ILLEGAL SIGNS  
OR ADVERTISEMENT WITHIN THE LIMITS OF HIGHWAY  
RIGHTS-OF-WAY

THIS AGREEMENT is made this \_\_\_\_ day of \_\_\_\_, 2005 between the Virginia Department of Transportation ("VDOT") and the Board of Supervisors of the County of York, Virginia ("Board").

WITNESSETH:

WHEREAS, pursuant to Title 33.1, Chapter 7, Article 1 of the Code of Virginia, 1950 as amended, the Virginia Department of Transportation (VDOT) enforces a prohibition on the placement of signs and advertisements within the limits of highway rights-of-way in the Commonwealth; and

WHEREAS, the York County Board of Supervisors, as the owner in fee simple of various public rights-of-way within York County, has an interest in protecting the public health, safety and welfare and in protecting the appearance of the County in general and the public rights-of-way in particular:

WHEREAS, the Board has found and determined that the proliferation of unauthorized signs in the rights-of-way of highways in York County is becoming more prevalent and such signs can create public safety hazards and can have a negative effect on the appearance of public highways; and

WHEREAS, the Board desires to exercise its authority under Section 15.2-1200 of the Code of Virginia, 1950, as amended, to regulate the placement of advertisements and signs in the right-of-way of highways in the County, in a manner consistent with existing provisions of the Code of Virginia and regulations promulgated by the Commonwealth Transportation Commissioner, as provided in Section 33.1-374 of the Code; and

WHEREAS, the Board desires additional authority, as an agent of the Commonwealth Transportation Commissioner, for the removal of signs and advertisements from the highways in York County; and

WHEREAS, the Commonwealth Transportation Commissioner desires the Board's assistance in removing signs and advertisements from the highways in York County, and wishes to designate the Board of Supervisors and its designees as agents of the Commonwealth Transportation Commissioner for the removal,

obliteration and abatement of signs and advertisements placed illegally within the limits of highway rights-of-way; and

NOW, THEREFORE, in consideration of the foregoing, the parties agree as follows:

1. This Agreement is entered into pursuant to Section 33.1-375.1(D) of the Code of Virginia by authorized representatives of the parties following approval by the Board in a public meeting held on \_\_\_\_\_, 2005.
2. VDOT designates the Board of Supervisors of York County, and its designees, as its agent for the purposes of removing any signs or advertisements located within the rights-of-way of highways in York County when such signs are found to be in violation of the provisions of Section 33.1-373 of the Code of Virginia, 1950, as amended.
3. VDOT designates the Board, and its designees, as its agent for the purpose of prosecuting violations of Section 33.1-373 of the Code of Virginia, 1950, as amended, seeking any remedy authorized by that section, and recovering any civil penalties, fines, costs of abatement, court costs, attorney fees, and any other fines, penalties, or costs that may be awarded by a court under that section. The County shall be entitled to full reimbursement from the violator of its costs of sign removal and enforcement. Any civil penalties collected shall be remitted by the Board on a quarterly basis to the Commonwealth Transportation Commissioner and paid into the Highway Maintenance and Operating Fund.
4. This Agreement shall remain in full force and effect unless sooner terminated upon thirty (30) days written notice by either party to the other party.
5. This Agreement may be amended at any time by written agreement of the parties.

WITNESS the following signatures and seals:

VIRGINIA DEPARTMENT OF  
TRANSPORTATION

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Commissioner

COUNTY OF YORK, VIRGINIA

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County Administrator